

2009-18661

FILED

December 11, 2009

CLERK, U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA

0002278466

**NOTE: THIS FORM IS FOR USE ONLY IN MOTIONS HEARD BY JUDGE W. RICHARD LEE.  
IT IS TO BE USED WHERE RELIEF IS DENIED OR THE STAY IS TERMINATED OR  
A DIFFERENT FORM MUST BE USED FOR ADEQUATE PROTECTION ORDER.**

Name, Address, Telephone of Attorney for Movant Prober & Raphael, A Law Corporation Cassandra J. Richey, Esq., #155721 PO Box 4365 Woodland Hills, CA 91364 (818) 227-0100 (818) 227-0101 (fax) cmartin@pprlaw.net Attorney(s) for U.S. Bank, N.A.	FOR COURT USE ONLY <div data-bbox="1247 212 1503 258" data-label="Text">Print Form</div> <div data-bbox="1247 268 1503 315" data-label="Text">Clear Form</div>
UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF CALIFORNIA	
In re RAYMOND RICO SOLENO and PENNY ELIZABETH SOLENO  <div data-bbox="621 846 737 877" data-label="Text">Debtor(s).</div>	<div data-bbox="899 724 1333 764" data-label="Text">CASE NUMBER: 09-18661-B-7</div> <div data-bbox="899 835 1372 877" data-label="Text">MOTION CONTROL NUMBER: PPR-1</div>
U.S. BANK, N.A.  <div data-bbox="621 1083 750 1115" data-label="Text">Movant(s),</div> <div data-bbox="474 1150 505 1176" data-label="Text">v.</div> RAYMOND RICO SOLENO and PENNY ELIZABETH SOLENO, Debtors; SHERYL ANN STRAIN, Trustee  <div data-bbox="621 1360 792 1392" data-label="Text">Respondent(s).</div>	<div data-bbox="899 957 1338 991" data-label="Text">HEARING DATE: December 9, 2009</div> <div data-bbox="899 1016 1243 1050" data-label="Text">TIME: 11:00 a.m.</div> <div data-bbox="899 1085 1196 1119" data-label="Text">JUDGE: W. Richard Lee</div> <div data-bbox="943 1224 1474 1331" data-label="Section-Header"> <p align="center"><b>ORDER ON MOTION FOR RELIEF FROM AUTOMATIC STAY</b></p> </div>

A motion for relief from the stay of 11 U.S.C. §362(a) having been  
<sup>1</sup>[☐] heard at the above referenced time with appearances as noted in  
 the court minutes,

<sup>2</sup>[☒] resolved without oral argument, no opposition having been filed  
 and cause for relief having been shown,

<sup>3</sup>[☐] presented *ex parte* pursuant to prior court order,

IT IS ORDERED,

<sup>4</sup>[☒] upon review of the evidence presented,

<sup>5</sup>[☐] pursuant to stipulation of the parties,

[One of the above must be checked.]

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Revised 03/06/01) Order on Motion for Relief from the Automatic Stay

<sup>6</sup>☐ that the motion is denied ☐ with ☐ without prejudice.

<sup>7</sup>☐ that the debtor(s) is/are dismissed from the motion, their discharge having been entered in this case.

<sup>8</sup>☒ that the automatic stay is ☒ terminated ☐ annulled

<sup>9</sup>☒ upon the signing of this order

<sup>10</sup>☐ as of \_\_\_\_\_

as to the interest of <sup>11</sup>☒ the debtor(s) and <sup>12</sup>☒ the trustee as to the movant's interest in the property described

<sup>13</sup>☐ on Exhibit A attached hereto.

<sup>14</sup>☒ below: LOT 6 OF SUNKIST ORANGE SUBDIVISION IN THE CITY OF REEDLEY, COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF, RECORDED NOVEMBER 4, 1920 IN BOOK 8, PAGE 96 OF PLATS, FRESNO COUNTY RECORDS.

IT IS FURTHER ORDERED:

<sup>15</sup>☒ Movant may pursue all available state law remedies to obtain possession of the subject property.

<sup>16</sup>☐ Relief from the stay is subject to the right of any party in interest to request by motion reinstatement of the stay.

<sup>17</sup>☒ The ten-day stay provided by FRBP 4001(a)(3) is waived for cause.

<sup>18</sup>☒ Other: FURTHER ORDERED that this bankruptcy is finalized with regard to this note and trust deed for purposes of Cal. Civil Code 2923.5.

Dated: December 11, 2009



W. Richard Lee

United States Bankruptcy Judge

Print Form

Clear Form